

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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ELBERT DAWKINS, on behalf of himself and
all others similarly situated,
_____,
Plaintiff(s),

-against-

**REQUEST FOR
CERTIFICATE OF
DEFAULT**
1:23 -CV- 1383

NB RUGS, INC d/b/a Doris Leslie Blau

_____,
Defendant(s).

-----X

TO: JUDGE BRIAN M. COGAN
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Please enter the default of defendant(s), NB RUGS, INC d/b/a Doris Leslie Blau, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure for failure to plead or otherwise defend this action as fully appears from the court file herein and from the attached affirmation of In Support of Request for Certificate of Default.

Dated: 3-31-2023

By: s/Mark Rozenberg
Mark Rozenberg
Stein Saks, PLLC
One University Plaza
Hackensack, NJ 07601
201-282-6500
mrozenberg@steinsakslegal.com

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

----- X
ELBERT DAWKINS, on behalf of himself
and all others similarly situated, _____,

Plaintiff(s)

**AFFIRMATION IN SUPPORT
OF
REQUEST FOR CERTIFICATE
OF DEFAULT**

-against-

1:23CV -1383

NB RUGS, INC d/b/a Doris Leslie Blau
_____ ,

Defendant(s).

----- X

ELBERT DAWKINS

_____ hereby declares as follows:

1. I am the plaintiff in this action.
2. This action was commenced pursuant to 28 U.S.C. § 1331 and 42 U.S.C. § 12182.
3. The time for defendant(s), NB RUGS, INC d/b/a Doris Leslie Blau or otherwise

move with respect to the complaint herein has expired.

4. Defendant(s), NB Rugs, Inc. d/b/a Doris Leslie Blau has not answered or otherwise moved with respect to the complaint, and the time for defendant(s) NB RUGS, INC d/b/a Doris Leslie Blau , to answer or otherwise move has not been extended.

5. That Defendant(s) NB RUGS, INC d/b/a Doris Leslie Blau is not an infant or incompetent. Defendant(s) NB RUGS, INC d/b/a Doris Leslie Blau is not presently in the military service of the United States as appears from facts in this litigation.

6. Defendant(s) NB RUGS, INC d/b/a Doris Leslie Blau is indebted to plaintiff, ELBERT DAWKINS

_____, in the following manner (state the facts in support of the claim(s)):

Plaintiff is a blind individual who attempted to access Defendant's website on multiple occasions using special screen reader

software. However, due to Defendant's website barriers which fail to allow disable persons the ability to access its site

using the disability software necessary for their use of the site, these access barriers have denied Plaintiff full and equal

access to Defendant's website and the goods and services it provides to the public. Defendant is entitled to injunctive and declaratory relief and other remedies, procedures and rights set forth under 42 U.S.C. § 12188 and the NYC Human Rights Law, including statutory, compensatory and punitive damages, pre and post judgment interest and reasonable costs and attorneys' fees in addition to such other relief this Court deems just and proper. Therefore, Defendant is indebted to Plaintiff in the amount of \$20,000.00

WHEREFORE, plaintiff ELBERT DAWKINS requests that the default of defendant(s) NB RUGS, INC d/b/a Doris Leslie Blau as noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Dated: 3-31-2023

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